

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ZABE JENKINS,)	CASE NO. 1:21-cv-1255
)	
Plaintiff,)	JUDGE CHARLES ESQUE FLEMING
)	
vs.)	MAGISTRATE JUDGE
)	JENNIFER DOWDELL ARMSTRONG
KURT DAHLBY, <i>et al.</i> ,)	
)	OPINION AND ORDER ADOPTING
Defendants.)	MAGISTRATE’S REPORT AND
)	RECOMMENDATION

On August 1, 2024, Plaintiff Zabe Jenkins, proceeding *pro se*, filed a Motion for Emergency Temporary Injunctions, which the Court construes as a motion for a temporary restraining order (the “Motion”). (ECF No. 22). Plaintiff is currently incarcerated and seeks an order from the Court that: (i) he not be transferred from the Franklin Medical Center (“FMC”) to the Mansfield Correctional Institution; and (ii) Defendants not withhold his property, including his legal property. (*Id.* at PageID #168).

On August 15, 2024, Magistrate Judge Armstrong issued a Report and Recommendation (“R&R”) recommending that the Court deny the Motion. (ECF No. 24). Fed. R. Civ. P. 72(b)(2) provides that the parties may object to a Magistrate Judge’s R&R within 14 days after service. The R&R also gave the parties notice of the 14-day time limit for filing objections. (*Id.* at PageID #189–90). The Court has given Petitioner 32 days to object to the R&R. As of the date of this Order, no objections have been filed.

Under the Federal Magistrates Act, a district court must conduct a *de novo* review of those portions of the R&R to which the parties have objected. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). Absent objection, a district court may adopt a R&R without further review. *See Peretz*

v. United States, 501 U.S. 923, 939 (1991); *Thomas v. Arn*, 474 U.S. 140, 141–42 (1985). There being no objections, the Court **ADOPTS** Magistrate Judge Armstrong’s R&R, incorporates it fully herein by reference, and **DENIES** the Motion.

IT IS SO ORDERED.

Date: September 16, 2024

A handwritten signature in cursive script, reading "Charles E. Fleming".

CHARLES E. FLEMING
UNITED STATES DISTRICT JUDGE